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OFFICE OF PETITIONS

ROTHWELL, FIGG, ERNST & MANBECK, P.C.
1425 K STREET, N.W.
SUITE 800
WASHINGTON DC 20005

In re Patent No. 7,430,520 : DECISION ON REQUEST FOR
HAUGEN et al. : RECONSIDERATION OF
Issue Date: September 30, 2008: PATENT TERM ADJUSTMENT AND
Application No. 09/637,387 : NOTICE OF INTENT TO ISSUE
Filed: August 11, 2000 : CERTIFICATE OF CORRECTION
Attorney Docket No. 2829-140 :

This is a corrected decision on the petition filed on December 1, 2008, which is being treated as a petition under 37 CFR 1.705(d) requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by two thousand four hundred seventy (2470) days.

The petition to correct the patent term adjustment indicated on the above-identified patent is **GRANTED to the extent indicated herein**. The term of the above-identified patent is extended or adjusted by **two thousand four hundred eighty-six (2486) days**.

On July 29, 2010, the Office mailed a decision granting the petition under 37 CFR 1.705(d) and indicating that the patent term adjustment had been determined to be 2486 days. The decision further stated that the Office would *sua sponte* issue a certificate of correction. However, the Office notes that the draft certificate of correction accompanying the decision incorrectly showed the correction of the term of the patent as extended or adjusted under 35 USC 154(b) by 2478 days. For this

reason, the draft certificate of correction mailed with the decision of July 29, 2010, is hereby vacated and replaced with attached draft certificate of correction.

As indicated above, the Office has determined that the patent term adjustment for the above-identified patent is **2486 days**. The PALM and PAIR records have been updated accordingly. The Office will *sua sponte* issue a certificate of correction consistent with this decision.

Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentee is given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

Nothing in this decision shall be construed as a waiver of the requirement of 35 U.S.C. 154(b)(4) that any civil action by an applicant dissatisfied with a determination made by the Director under 35 U.S.C. 154(b)(3) be filed in the United States District Court for the District of Columbia within 180 days after the grant of the patent.

This matter is being referred to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **two thousand four hundred eighty-six (2486) days**.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT: 7,430,520 B1
DATED: Sep. 30, 2008 **DRAFT**
INVENTOR(S): Haugen et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 1826 days

Delete the phrase "by 1826 days" and insert – by 2486 days--